

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:15-cv-01377-BAH**

CENTER FOR FOOD SAFETY v. ANIMAL AND PLANT
HEALTH INSPECTION SERVICE

Assigned to: Chief Judge Beryl A. Howell

Cause: 05:552 Freedom of Information Act

Date Filed: 08/25/2015

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

CENTER FOR FOOD SAFETY

represented by **Amy L. van Saun**
CENTER FOR FOOD SAFETY
2009 NE Alberta Street
Suite 207
Portland, OR 97211
(971) 271-7372
Fax: (971) 271-7374
Email: avansaun@centerforfoodsafety.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Cristina R. Stella
ANIMAL LEGAL DEFENSE FUND
525 E. Cotati Ave.
Cotati, CA 94931
707-795-2533
Fax: 707-795-7280
Email: cstella@aldf.org
TERMINATED: 08/31/2017
PRO HAC VICE

George A. Kimbrell
CENTER FOR FOOD SAFETY
2009 NE Alberta Street
Suite 207
Portland, OR 97211
(917) 271-7372
Fax: (917) 271-7374
Email: gkimbrell@centerforfoodsafety.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Peter T. Jenkins
PUBLIC EMPLOYEES FOR
ENVIRONMENTAL RESPONSIBILITY
- PEER
610
962 Wayne Ave # 610
Silver Spring, MD 20910
United Sta
2022654189
Email: pjenkins@peer.org
TERMINATED: 07/23/2018

V.

Defendant

**ANIMAL AND PLANT HEALTH
INSPECTION SERVICE**

represented by **John Cuong Truong**
U.S. ATTORNEY'S OFFICE/DISTRICT
OF COLUMBIA

555 Fourth St, NW
Suite E 4204
Washington, DC 20530
(202) 252-2524
Fax: (202) 252-2599
Email: john.truong@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/25/2015	<u>1</u>	COMPLAINT against ANIMAL AND PLANT HEALTH INSPECTION SERVICE (Filing fee \$ 400 receipt number 0090-4221644) filed by CENTER FOR FOOD SAFETY. (Attachments: # <u>1</u> Civil Cover Sheet)(Jenkins, Peter) (Entered: 08/25/2015)
08/25/2015	<u>2</u>	AFFIDAVIT re <u>1</u> Complaint by CENTER FOR FOOD SAFETY. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30, # <u>31</u> Exhibit 31)(Jenkins, Peter) (Entered: 08/25/2015)
08/25/2015	<u>3</u>	Corporate Disclosure Statement by CENTER FOR FOOD SAFETY. (Jenkins, Peter) (Entered: 08/25/2015)
08/25/2015	<u>4</u>	REQUEST FOR SUMMONS TO ISSUE by CENTER FOR FOOD SAFETY filed by CENTER FOR FOOD SAFETY.(Jenkins, Peter) (Entered: 08/25/2015)
08/25/2015	<u>5</u>	REQUEST FOR SUMMONS TO ISSUE by CENTER FOR FOOD SAFETY filed by CENTER FOR FOOD SAFETY.(Jenkins, Peter) (Entered: 08/25/2015)
08/25/2015	<u>6</u>	REQUEST FOR SUMMONS TO ISSUE by CENTER FOR FOOD SAFETY filed by CENTER FOR FOOD SAFETY.(Jenkins, Peter) (Entered: 08/25/2015)
08/25/2015	<u>7</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Cristina R. Stella, :Firm- Center for Food Safety, :Address- 303 Sacramento Street, 2nd Floor, San Francisco, CA 94111. Phone No. - (415) 826-2770. Fax No. - (415) 826-0507 Filing fee \$ 100, receipt number 0090-4221851. Fee Status: Fee Paid. by CENTER FOR FOOD SAFETY (Attachments: # <u>1</u> Declaration of Cristina R. Stella, # <u>2</u> Text of Proposed Order)(Jenkins, Peter) (Entered: 08/25/2015)
08/25/2015	<u>8</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Amy L. van Saun, :Firm- Center for Food Safety, :Address- 917 SW Oak Street, Suite 300, Portland, OR 91205. Phone No. - (971) 271-7372. Fax No. - (971) 271-7374 Filing fee \$ 100, receipt number 0090-4221855. Fee Status: Fee Paid. by CENTER FOR FOOD SAFETY (Attachments: # <u>1</u> Declaration of Amy L. van Saun, # <u>2</u> Text of Proposed Order)(Jenkins, Peter) (Entered: 08/25/2015)
08/25/2015		Case Assigned to Judge Beryl A. Howell. (md) (Entered: 08/25/2015)
08/26/2015	<u>9</u>	SUMMONS (3) Issued Electronically as to ANIMAL AND PLANT HEALTH INSPECTION SERVICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice of Consent) (md) (Entered: 08/26/2015)
08/26/2015	<u>10</u>	STANDING ORDER. Signed by Judge Beryl A. Howell on August 26, 2015. (lcbah3) (Entered: 08/26/2015)
08/26/2015		MINUTE ORDER (paperless) GRANTING the plaintiff's <u>7</u> Motion for Admission of Attorney <i>Pro Hac Vice</i> . Ms. Cristina R. Stella, Esq. may enter an appearance <i>pro hac vice</i> for the purpose of representing the plaintiff in this action. Signed by Judge Beryl A. Howell on August 26, 2015. (lcbah3) (Entered: 08/26/2015)
08/26/2015		MINUTE ORDER (paperless) GRANTING the plaintiff's <u>8</u> Motion for Admission of Attorney <i>Pro Hac Vice</i> . Ms. Amy L. van Saun, Esq. may enter an appearance <i>pro hac vice</i> for the purpose of representing the plaintiff in this action. Signed by Judge Beryl

		A. Howell on August 26, 2015. (lcbah3) (Entered: 08/26/2015)
09/15/2015	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 8/31/2015., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/31/2015. (Answer due for ALL FEDERAL DEFENDANTS by 9/30/2015.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. ANIMAL AND PLANT HEALTH INSPECTION SERVICE served on 8/31/2015 (Attachments: # <u>1</u> Exhibit A)(Jenkins, Peter) (Entered: 09/15/2015)
09/30/2015	<u>12</u>	Unopposed MOTION for Extension of Time to <i>Respond to Complaint</i> by ANIMAL AND PLANT HEALTH INSPECTION SERVICE (Truong, John) (Entered: 09/30/2015)
10/01/2015		MINUTE ORDER (paperless) GRANTING the defendant's <u>12</u> Unopposed Motion for Extension of Time. The defendant shall, by November 2, 2015, respond to the plaintiff's <u>1</u> Complaint. Signed by Judge Beryl A. Howell on October 1, 2015. (lcbah3) (Entered: 10/01/2015)
10/01/2015		Set/Reset Deadlines: Answer to the Complaint due by 11/2/2015. (tg) (Entered: 10/01/2015)
10/29/2015	<u>13</u>	Consent MOTION for Extension of Time to <i>Respond to Plaintiff's Complaint</i> by ANIMAL AND PLANT HEALTH INSPECTION SERVICE (Truong, John) (Entered: 10/29/2015)
10/30/2015		MINUTE ORDER (paperless) GRANTING the defendant's <u>13</u> Consent Motion for Extension of Time. The defendant shall, by December 11, 2015, respond to the plaintiff's <u>1</u> Complaint. Signed by Judge Beryl A. Howell on October 30, 2015. (lcbah3) (Entered: 10/30/2015)
10/30/2015		Set/Reset Deadlines: Answer to the Complaint due by 12/11/2015. (tg) (Entered: 10/30/2015)
12/08/2015	<u>14</u>	Consent MOTION for Extension of Time to <i>Respond To Complaint</i> by ANIMAL AND PLANT HEALTH INSPECTION SERVICE (Truong, John) (Entered: 12/08/2015)
12/08/2015		MINUTE ORDER (paperless) GRANTING the defendant's <u>14</u> Consent Motion for Extension of Time. The defendant shall, by January 25, 2016, respond to the plaintiff's <u>1</u> Complaint. Signed by Judge Beryl A. Howell on December 8, 2015. (lcbah3) (Entered: 12/08/2015)
12/09/2015		Set/Reset Deadlines: Defendant's Answer to the Complaint due by 1/25/2016. (tg) (Entered: 12/09/2015)
01/21/2016	<u>15</u>	Consent MOTION for Extension of Time to <i>Respond to Complaint</i> by ANIMAL AND PLANT HEALTH INSPECTION SERVICE (Truong, John) (Entered: 01/21/2016)
01/22/2016		MINUTE ORDER (paperless) GRANTING the defendant's <u>15</u> Consent Motion for Extension of Time. The defendant shall, by February 22, 2016, respond to the plaintiffs <u>1</u> Complaint. Signed by Judge Beryl A. Howell on January 22, 2016. (lcbah3) (Entered: 01/22/2016)
01/27/2016		Set/Reset Deadlines: Answer to the Complaint due by 2/22/2016. (tg) (Entered: 01/27/2016)
02/22/2016	<u>16</u>	Consent MOTION for Order (1) <i>Adopting Document Production Plan</i> ; (2) <i>Holding In Abeyance Defendant's Answer</i> ; and (3) <i>Requiring Defendant To Submit Status Report In 60 Days</i> by ANIMAL AND PLANT HEALTH INSPECTION SERVICE (Attachments: # <u>1</u> Exhibit A (Government)(Truong, John) (Entered: 02/22/2016)
02/23/2016		MINUTE ORDER (paperless) GRANTING the defendant's <u>16</u> Consent Motion (1) To Adopt The Parties' Proposed Document Production Plan And (2) To Hold In Abeyance Defendants Response To Plaintiff's Complaint ("Def.'s Mot."). Accordingly, (1) the defendant shall abide by the [16-1] "Document Production Plan," set forth in Gov't Ex. A to Def.'s Mot.; (2) the parties shall submit a joint status report every 60 days from the date of this Order notifying the Court of the status of the case; and (3) the

		Court's January 22, 2016 Minute Order, requiring the defendant to respond to the plaintiff's <u>1</u> Complaint by February 22, 2016, shall be HELD IN ABEYANCE until the document production, as set forth in the "Document Production Plan," is completed, at which point the parties shall submit a final joint status report and the defendant shall respond to the plaintiff's <u>1</u> Complaint within 14 days. Signed by Judge Beryl A. Howell on February 23, 2016. (lcbah3) (Entered: 02/23/2016)
04/20/2016	<u>17</u>	Joint STATUS REPORT by ANIMAL AND PLANT HEALTH INSPECTION SERVICE. (Truong, John) (Entered: 04/20/2016)
04/21/2016		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>17</u> Joint Status Report, the parties to submit another joint status report by July 20, 2016. Signed by Chief Judge Beryl A. Howell on April 21, 2016. (lcbah3) (Entered: 04/21/2016)
04/21/2016		Set/Reset Deadlines: Joint Status Report due by 7/20/2016. (tg) (Entered: 04/21/2016)
07/20/2016	<u>18</u>	Joint STATUS REPORT by ANIMAL AND PLANT HEALTH INSPECTION SERVICE. (Truong, John) (Entered: 07/20/2016)
07/26/2016		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>18</u> Joint Status Report, the parties to submit another joint status report by October 20, 2016. Signed by Chief Judge Beryl A. Howell on July 26, 2016. (lcbah3) (Entered: 07/26/2016)
07/26/2016		Set/Reset Deadlines: Joint Status Report due by 10/20/2016. (tg) (Entered: 07/26/2016)
10/20/2016	<u>19</u>	Joint STATUS REPORT by CENTER FOR FOOD SAFETY. (Stella, Cristina) (Entered: 10/20/2016)
10/31/2016		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>19</u> Joint Status Report, that the parties submit another joint status report by January 18, 2017. Signed by Chief Judge Beryl A. Howell on October 31, 2016. (lcbah3) (Entered: 10/31/2016)
10/31/2016		Set/Reset Deadlines: Joint Status Report due by 1/18/2017. (tg) (Entered: 10/31/2016)
01/18/2017	<u>20</u>	Joint STATUS REPORT by CENTER FOR FOOD SAFETY. (Stella, Cristina) (Entered: 01/18/2017)
01/18/2017		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>20</u> Joint Status Report, that the parties submit another joint status report by April 18, 2017. Signed by Chief Judge Beryl A. Howell on January 18, 2017. (lcbah3) (Entered: 01/18/2017)
01/18/2017		Set/Reset Deadlines: Joint Status Report due by 4/18/2017. (tg) (Entered: 01/18/2017)
04/18/2017	<u>21</u>	Joint STATUS REPORT by ANIMAL AND PLANT HEALTH INSPECTION SERVICE. (Truong, John) (Entered: 04/18/2017)
04/18/2017		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>21</u> Joint Status Report, that the parties submit another joint status report by July 18, 2017. Signed by Chief Judge Beryl A. Howell on April 18, 2017. (lcbah3) (Entered: 04/18/2017)
04/18/2017		Set/Reset Deadlines: Joint Status Report due by 7/18/2017. (tg) (Entered: 04/18/2017)
07/18/2017	<u>22</u>	Joint STATUS REPORT by ANIMAL AND PLANT HEALTH INSPECTION SERVICE. (Truong, John) (Entered: 07/18/2017)
08/31/2017	<u>23</u>	NOTICE of Withdrawal of Appearance for <i>Cristina R. Stella</i> by CENTER FOR FOOD SAFETY (Stella, Cristina) Modified event title on 9/1/2017 (znmw). (Entered: 08/31/2017)
09/02/2017		MINUTE ORDER (paperless) DIRECTING, in light of plaintiff's co-counsel Cristina R. Stella's <u>23</u> Notice of Withdrawal of Counsel, the Clerk's Office to terminate Cristina R. Stella as co-counsel for the plaintiff. Signed by Chief Judge Beryl A. Howell on September 2, 2017. (lcbah3) (Entered: 09/02/2017)

09/02/2017		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>22</u> Joint Status Report, that the parties submit another joint status report by October 17, 2017. Signed by Chief Judge Beryl A. Howell on September 2, 2017. (lcbah3) (Entered: 09/02/2017)
09/05/2017		Set/Reset Deadlines: Joint Status Report due by 10/17/2017. (tg) (Entered: 09/05/2017)
10/17/2017	<u>24</u>	Joint STATUS REPORT by ANIMAL AND PLANT HEALTH INSPECTION SERVICE. (Truong, John) (Entered: 10/17/2017)
10/18/2017		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>24</u> Joint Status Report, that the parties submit another joint status report by January 17, 2018. Signed by Chief Judge Beryl A. Howell on October 18, 2017. (lcbah3) (Entered: 10/18/2017)
10/18/2017		Set/Reset Deadlines: Joint Status Report due by 1/17/2018. (hmc) (Entered: 10/18/2017)
01/17/2018	<u>25</u>	Joint STATUS REPORT by ANIMAL AND PLANT HEALTH INSPECTION SERVICE. (Truong, John) (Entered: 01/17/2018)
01/18/2018		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>25</u> Joint Status Report, that the parties submit another joint status report by April 17, 2018. Signed by Chief Judge Beryl A. Howell on January 18, 2018. (lcbah3) (Entered: 01/18/2018)
01/18/2018		Set/Reset Deadlines: Joint Status Report due by 4/17/2018. (tg) (Entered: 01/18/2018)
04/18/2018	<u>26</u>	Joint STATUS REPORT by ANIMAL AND PLANT HEALTH INSPECTION SERVICE. (Truong, John) (Entered: 04/18/2018)
04/18/2018		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>26</u> Joint Status Report, that the parties submit another joint status report by July 17, 2018. Signed by Chief Judge Beryl A. Howell on April 18, 2018. (lcbah3) (Entered: 04/18/2018)
07/16/2018	<u>27</u>	NOTICE of Appearance by George A. Kimbrell on behalf of CENTER FOR FOOD SAFETY (Kimbrell, George) (Entered: 07/16/2018)
07/16/2018	<u>28</u>	Joint STATUS REPORT by CENTER FOR FOOD SAFETY. (van Saun, Amy) (Entered: 07/16/2018)
07/16/2018		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>28</u> Joint Status Report, that the parties submit another joint status report by October 17, 2018. Signed by Chief Judge Beryl A. Howell on July 16, 2018. (lcbah3) (Entered: 07/16/2018)
07/17/2018		Set/Reset Deadlines: Joint Status Report due by 10/17/2018. (tg) (Entered: 07/17/2018)
07/23/2018	<u>29</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to CENTER FOR FOOD SAFETY. Attorney Peter T. Jenkins terminated. (Jenkins, Peter) (Entered: 07/23/2018)
10/16/2018	<u>30</u>	Joint STATUS REPORT by ANIMAL AND PLANT HEALTH INSPECTION SERVICE. (Truong, John) (Entered: 10/16/2018)
10/16/2018		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>30</u> Joint Status Report, that the parties submit another joint status report by January 15, 2019. Signed by Chief Judge Beryl A. Howell on October 16, 2018. (lcbah3) (Entered: 10/16/2018)
10/16/2018		Set/Reset Deadlines: Joint Status Report due by 1/15/2019. (tg) (Entered: 10/16/2018)
01/15/2019	<u>31</u>	Joint STATUS REPORT by CENTER FOR FOOD SAFETY. (van Saun, Amy) (Entered: 01/15/2019)
01/16/2019		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>31</u> Joint Status Report, the parties to file, by April 15, 2019, a joint status report advising the Court whether any disputes remain between the parties and, if so, a proposed

		schedule to resolve any remaining issues in this case. Signed by Chief Judge Beryl A. Howell on January 16, 2019. (lcbah3) (Entered: 01/16/2019)
01/16/2019		Set/Reset Deadlines: Joint Status Report due by 4/15/2019. (tg) (Entered: 01/16/2019)
02/11/2019	<u>32</u>	NOTICE of Change of Address by George A. Kimbrell (Kimbrell, George) (Entered: 02/11/2019)
02/11/2019	<u>33</u>	NOTICE of Change of Address by Amy L. van Saun (van Saun, Amy) (Entered: 02/11/2019)
04/15/2019	<u>34</u>	Joint STATUS REPORT by ANIMAL AND PLANT HEALTH INSPECTION SERVICE. (Truong, John) (Entered: 04/15/2019)
04/16/2019		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>34</u> Joint Status Report, the parties to submit, by June 15 2019, a joint status report advising the Court whether any disputes remain between the parties and if so, a proposed schedule to govern further proceedings, unless a stipulation of dismissal is filed by then. Signed by Chief Judge Beryl A. Howell on April 16, 2019. (lcbah3) (Entered: 04/16/2019)
04/16/2019		Set/Reset Deadlines: Joint Status Report due by 6/15/2019, unless a stipulation of dismissal if filed by then. (tg) (Entered: 04/16/2019)
04/30/2019	<u>35</u>	NOTICE of Settlement <i>In Principle</i> by ANIMAL AND PLANT HEALTH INSPECTION SERVICE (Truong, John) (Entered: 04/30/2019)